

Sidney, Nebraska, August 22, 2023 A Fair Housing City

A meeting of the Mayor and Council of the City of Sidney, Nebraska, was convened in open and public session immediately following the CDA meeting at 5:35 p.m. on August 22, 2023 at the Sidney High School 1109 19th Avenue. Present in person were: Mayor Sherman and Council Members: Strommen, Buckner, Radcliffe and Bondegard. Others present: City Manager Scott, City Clerk Borchert, Attorney Leef. Notice of the meeting was given in advance thereof by publication in *The Sidney Sun Telegraph*, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was given to the members of the City Council and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the City Council. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Mayor Sherman informed the public of the location of the posted Open Meetings Act.

Sherman asked for a motion to approve the August 8 minutes. Strommen moved, Buckner seconded, "That the minutes for August 8, 2023 be approved." Roll call: Yeas: Strommen, Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed.

Glenda Gay Condon, representing the Ft Sidney Chapter NSDAR, presented a Proclamation for Constitution Day and Constitution Week which will be observed from September 17–23, 2022. Mayor Sherman read, approved and signed the Proclamation.

Lane Kizzire, Finance Director, presented the budget reports for July 2023. Sherman asked for approval of the report. Radcliffe moved, Strommen seconded, "That the budget reports for July 2023 be approved." Roll call vote: Yeas: Buckner, Sherman, Radcliffe, Bondegard, Strommen. Nays: None Motion passed.

Melissa Norgard and McKailie Conger gave a presentation proposing a mural on a City building near Hickory Square. Norgard stated that Sidney was certified as a Creative District through the Nebraska Arts Council in April of 2023 and later awarded a \$10,000 grant to be used for plants to fill the downtown bulb outs and planters. The mural will also be paid for out of the Creative district grant funds. A goal of the steering committee was to increase streetscape appeal and beautification of downtown Sidney in the Creative District. Breeanna Benton was the chosen artist. Norgard and Conger asked Council for approval to use the electric power building facing 10th Avenue, as the chosen site of the mural. Sherman asked for a motion. Strommen moved, Buckner seconded, "That the Creative District be allowed to paint a mural on the electric power building." Roll call vote: Yeas: Sherman, Radcliffe, Bondegard, Strommen, Buckner. Nays: None Motion passed.

Sherman opened a public hearing at 5:56 pm for **Ordinance 1855**, authorizing the sale of the proposed 812 13th Avenue building. David Scott, City Manager, summarized to council that since there is a TIF agreement on the City owned building at 812 Illinois Street, previously owned by Cabela's and UST has ended their lease. The City needs to lease the building to another tax paying entity or sell the building to a tax paying entity. The City does not pay property tax on its buildings and it is the property tax that pays the TIF bond payments. Worldwide Trophy Adventures (WTA) approached the City about this situation and started working with the City to purchase the building so it can be used to house WTA and other local businesses. Scott also stated that since the City no longer rents the facility to UST we need to lease the building to another tax paying entity or sell the building to a tax paying entity unless we want to pay off the TIF of \$543,807, essentially giving Bass Pro a \$310,00 payoff on their portion of the bond debt, they have done nothing to earn. Scott reported to Council that the building was appraised at \$1,500,000 five years ago by an independent certified appraiser when the City paid \$1,000,000 for the building and now appraises for \$1,100,000 by a certified independent appraiser. Financial implications for the City are \$575,000 assessed 1200 Pole Creek Crossing building to be used for new PD facility, \$275,000 - WTA will forgo the \$275,000 LB840 funds the City owes to them, \$92,000 South parking lot for public use and \$150,000 in cash from WTA. WTA would pay the City \$1,092,000 for the 812 13th Avenue building. Other alternatives would be to place the building up for open auction or keep the building and take a huge loss on the TIF bond giving Bass Pro a \$310,000 pay off. Sherman asked Scott how this would affect taxes. Scott responded that if Council chose to move forward with this deal, property taxes would not be affected. If the building is not sold, a tax increase would cover the

TIF. Sherman asked Ryan Watchorn, , CEO WTA, if he thought it was a fair deal. Watchorn replied he felt it was a fair deal for what they were trying to do and where they were trying to go. Sherman opened the floor to the public. Twelve people came forward. Seven of those were for, four against and one neutral for the sale of 812 13th Avenue. David Jansen, asked Council to table the proposal and stated that the he wanted to see the appraisal. Eric Poole asked Councilman Radcliffe why he voted against the original purchase of the building. Radcliffe responded that he did not believe that the City should be involved in commercial real-estate, but other councilmen thought it would create jobs. Poole also asked about the circumstances of the original loan. Attorney Leef responded that working with the state auditor, the original plan was to take out a loan, there is a statute that says that you can at the end of the year, transfer the funds. At the end of the year, the loan was retired and the funds were transferred according to the statute. The City complied with the auditors request along with working with Rauner and Associates accomplishing the transfer within the statute. Michelle Everett stated that you need to take the opportunities and businesses that want to occupy the building because you are bringing in income tax dollars, employees and gaining sales tax on downtown purchases. Kendra Strommen asked Scott how many other businesses besides WTA reached out to him regarding the purchase of the 812 13th Avenue building. Scott responded, zero. Strommen reminded the public that if the building was actioned off, that auctions are filled with fees it and would probably not be a win. Sherman ended the public hearing at 5:56 pm. Sherman asked for a motion to designate the ordinance. Strommen moved, Bondegard seconded, "That Ordinance 1855 be designated." Roll call vote: Yeas: Radcliffe, Bondegard, Strommen, Buckner, Sherman. Nays: None Motion passed. Sherman asked the clerk to read by title. Borchert read, "*An ordinance of the City of Sidney, Nebraska, authorizing the sale of all right, title and interest of the City of Sidney, Nebraska, in and to a tract of land legally described as lots one through five and the east eight feet of lot six, block twenty-four, original town of Sidney, Cheyenne County, Nebraska; and specifying the terms of such sale in section two below.*" Sherman asked for a motion to waive the readings. Strommen moved, Radcliffe seconded, "That the readings be waived." Roll call vote: Yeas: Bondegard, Strommen, Buckner, Sherman, Radcliffe. Nays: None. Motion passed. Sherman asked for a motion to pass the ordinance. Buckner moved, Bondegard seconded, "That Ordinance 1855 be passed." Roll call vote: Yeas: Strommen, Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed. Sherman asked the clerk to read the number. Borchert read, "1855". Sherman asked for a motion to publish the ordinance. Radcliffe moved, Strommen seconded, "That Ordinance 1855 be published." Roll call vote: Yeas: Buckner, Sherman, Radcliffe, Bondegard, Strommen. Nays: None. Motion passed.

Scott reported that on September 16 there will be an open house at the Armory for the Delta Company, 2-134th Airborne Infantry Battalion for the National Guard.

Jeff Klare, Economic Development Director, state that he has heard how our town is becoming divided. Klare has read disparaging remarks about Council, City Manager, Mayor and Police Chief and he is sick over it. Klare asked why people would even want to live here. Klare believes this is the greatest City in America and had encouraged people to come to his office but no one has showed up. Klare summed it up by saying that Sidney is a great City with a great future.

Bondegard thanked the public for coming out. Radcliffe stated the he could not think of a better business to work out of 812 13th Avenue, a win-win. Strommen stated that he thinks we have a unique opportunity that will benefit the citizens. Buckner thanked the Creative District for their presentation. Buckner hopes that the City can create a new chapter with the building downtown. Sherman said he stands by his decision of the original purpose of buying the building for the creation of new jobs, however, he will strongly consider not doing that again. Sherman closed with a friend's story on leadership. Shermans cell phone number is 308-249-2321.

Meeting adjourned at 7:05 pm.

ATTEST: /s/BRAD SHERMAN, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK